

Article - Health Occupations

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§1-221.1.

(a) In this section, “health care practitioner” means a person who is licensed, certified, or otherwise authorized under this article to provide health care services in the ordinary course of business or practice of a profession.

(b) A health care practitioner, or a student or trainee in an educational or training program to become a health care practitioner, may not perform a pelvic, prostate, or rectal examination on a patient who is under anesthesia or unconscious unless:

(1) The health care practitioner, student, or trainee obtained informed consent from the patient for the examination;

(2) The performance of the examination is within the standard of care for the patient;

(3) The patient is unconscious and the examination is required for diagnostic or treatment purposes; or

(4) An emergency exists, it is impractical to obtain the patient’s consent, and the examination is required for diagnostic or treatment purposes.

(c) A health occupations board, in accordance with the hearing procedures that govern the discipline of the health care practitioner under the board’s jurisdiction, may reprimand, place on probation, or suspend or revoke a license or certificate of a health care practitioner under the board’s jurisdiction who fails to comply with the requirements of this section.

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